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an understanding of our presence here in this country, partly because I am one of the very few Latinos on the Advisory Council.

So, I come from Brooklyn, New York where Latinos come from, 21 Spanish speaking countries. Some of African ancestry like yourself and like me, some of indigenous ancestry I am of both, some of color, some not, some of privilege and some from struggle.

When you refer to Hispanics in your community, I don't know who they are or where they come from, what nationality are they? How can we provide you some guidance on how you can reach them? I was happy to hear you say that they don't want to change because that said to me they are not acculturating and so they are not selling out and that is a good thing, right?

But and also that half of this country was Latino before it was invaded by the United States so there is this perception that we just got here when in fact we have been here and we just keep coming, right, whether people feel that or not, right?

So, I want to say that because there is always this misunderstanding and like we are new and so we have to deal with these new people. So, cultural competency as you said is extremely important and how we work with each to lift each other is extremely important and so it is probably much easier in urban environments when we are right next to each other and we have kids names Shaniqua Garcia and it is all good, right?

But in rural areas where people are much more segregated and divided it becomes a challenge. But I would urge you to reach out to places where we understand how to reach out to those communities so that we can help you with that because that only makes you stronger and that makes them stronger too and I think that it helps build consensus and gets communities to understand that we are all in this together.

So I just wanted to share that with you. But thank you so much for coming before us. This is an extremely important issue and I am sure, I know that this is going to be part of the work that we address moving forward. This has been a truly inspiring and transformational. So gracias.

We are going to break for 10 minutes because we are behind and I think we need a moment. So, 10 minutes please and we will be right back.

(Whereupon, a break was taken.)

MS. YEAMPIERRE: Plan EJ 2014 we have a committee that has been working very hard for the last few weeks led by Kim Wasserman who is a new member of the NEJAC and she will be presenting what that process was like and what some of the recommendations made by the committee were. Kim?

But before Kim begins, Lisa Garcia would like to make another announcement.

MS. GARCIA: All these announcements, I just wanted to mention that we went back to SEQ and the White House on the request, well the two requests on the White House Forum and so we will be able to do a video, an online video stream of the conference and so hopefully we can get that information out since it was requested. So that is one request and we did go back and say of course that we need to visit the question of grass roots groups and potential scholarships.

But at least for folks who cannot come or have other commitments if they can hop online for a few hours that would be good. So thank you.

MS. YEAMPIERRE: Thank you. Kim?

### ***NEJAC Comments to EPA Plan EJ 2014***

MS. WASSERMAN: Sure. So again my name is Kim Wasserman, I am with the Little Village Environmental Justice Organization. I would first like to thank our Chairwoman and our Co-chair and Victoria for allowing me the opportunity to take on this initiative my first time into NEJAC and so it was a very exciting process and I would also like to recognize the Administration Agency for the priority that they are putting towards Environmental Justice and its anniversary.

I am going to really quickly go over the names of folks that worked with me on the subcommittee. We had Jolene, we had Wynecta, I am sorry should I do last names too? Okay. Wynecta, Stephanie, Savi, Langdon and Nicholas working with myself, and Elizabeth I am sorry, working with me on this endeavor and so thank you all very much for all the time and effort that was put into this.

As many of you know, we have actually passed the deadline for comment on EJ 2014, however we were fortunate enough to get a draft put together in time and that was submitted to the EPA and this is our chance now to review that draft and make comments and changes to it and hopefully submit pretty quickly our final comments.

The workgroup that was formed did a number of conference calls as a subcommittee. But aside from that we also had two public calls, one in Region 5 and one, I am not sure where the other one was at, but there were two public calls we had around this plan if I am not mistaken.

I would like to proffice that, this is my first time doing this and so the structure for this and how this works is a little beknownst to me so I kind of figured it out as I went along. So please bear with me in that sense.

Everybody should have in front of them a summary of the Plan that was created today and this basically gives you a summary of the recommendations that we are making and so there is also a PowerPoint that we made today in regards to that.

So, I am going to go ahead and go through the PowerPoint that focuses on the summary and if I speak too fast please let me know, I tend to get nervous and talk a mile a minute so I do apologize.

(Slide)

MS. WASSERMAN: So from the beginning, one of the kind of a few things that came up repeatedly throughout this process was that the Plan needs to provide explicit criteria and outcome measurements by which the Plan will be assessed.

I think we hear Mathy speak earlier specifically to the community part and how that process was going to be taking place and I think it was very difficult for us as a subcommittee to give a lot of hefty feedback based off of the lack of those measures, those outcomes.

We did try our best to provide guidance but we are asking that the Plan have more teeth at the end of the day in order for us to provide solid feedback. One of the first charges that was given to us was the question of are the cross agency focus areas the correct ones?

Starting with the very first one, incorporating Environmental Justice into rule making, overall what we were looking at was the need for the overarching goal, the overarching goal should be to have environmental just rules and so really what we are looking at is not just the incorporation but the overall tone for this cross section should be Environmental Justice.

Looking at the second cross agency focus considering Environmental Justice concerns in EPA's permitting process. We really felt strongly that this needed to be rephrased as ensuring environmental just permitting decisions. We are at a point where Environmental Justice can no longer just be considered, it needs to be implemented and so this was definitely something that the subcommittee stepped up to in wanting to make sure that the language was changed.

There was questions around cumulative impacts as well, hold on a second, oh there it is sorry.

(Slide)

MS. WASSERMAN: The longer term focus around cumulative impacts leads NEJAC to have follow-up questions, what will this process look like? How much longer term is it?

So, there was a request originally that in this November meeting we have those questions answered and I don't think that happened and so I think for us as a subcommittee it is important to get answers to those questions in order for us to be able to provide concise feedback on the Plan itself. Within the original document you will see a list of longer questions as well.

Item number 3, accelerating compliance and enforcement initiatives. The NEJAC subcommittee generally supports this focus area as an important component but there is also the question of developing the necessary details to address the listed questions and concerns and again our original goal was to have those answered by today but I don't think that happened if I am not mistaken.

(Slide)

MS. WASSERMAN: There was also some subgroup questions in here that we are looking at for 3A, target specific compliant strategies and enforcement actions to address problems that affect overburdened communities.

There was a question but the EPA needed to evaluate how specific compliant strategies differ from what is required under current regulation and statute if there was going to be a change in the structure that is currently there now.

Under 3B, seek remedies and enforcement actions that benefit overburdened communities affected by non-compliance. NEJAC recommends that EPA evaluate whether the existing enforcement structure provides benefit for affected communities and whether there are specific ways in which the set policy supplemental environmental projects can be enhanced to aid the overall goal of Environmental Justice allowing greater flexibility for Environmental Justice projects.

(Slide)

MS. WASSERMAN: Under number 4, supporting community based programs. We felt that providing support for community based organizations to participate in community or government can deem collaborative processes was really the way to go and I think our conversation today with Mathy really extended that point and more fine tuned it.

One of the things I forgot to mention was that in your handouts yesterday, Jolene and Peter put together comments to Plan EJ 2014 and so one of the things I wanted to do was in italics, both in your handout and on the screen, you will see there are three summarized points that were added on through their comments.

These were not included in the final document but these are an attachment to the final document and one of the things that they were looking at was developing more effective mechanisms for supporting community based action programs in Indian country and throughout Alaska.

I think when we come back to conversation, if there are any questions those can, Jolene and Peter, can chime in on that point.

(Slide)

MS. WASSERMAN: Okay number 5, fostering administration wide action on Environmental Justice. The NEJAC feels that all Federal investments that affect communities suffering from disproportion impacts should go through an appropriate process to identify and if necessary eliminate or mitigate Environmental Justice considerations.

So really putting some teeth to that cross agency point is important. Again, in italics what you will see is what came from Peter and Jolene around developing effective mechanisms for fostering administration wide action on Environmental Justice in Indian country and throughout Alaska.

(Slide)

MS. WASSERMAN: Now I recognize that this was not one of the charges that was put to us, however when you have a room with a lot of opinion there are a number of things that will come up that people feel should be added as an additional cross agency focus area.

So in this case we were able to narrow it down to three and it is up for conversation on whether or not they should be added or they should simply be added on as an objective.

The first one being a sixth cross agency focus area ensuring environmentally just investment of capital and other funding. The seventh cross agency focus area was under science, that ORD produce by 2014 or sooner some robust results that will drive policy and implementation and the eighth cross agency focus area which again came from Jolene and Peter but was a point of conversation within the subcommittee in general was the cross focus area of climate adaptation.

So, these three again were things that came up as very strong points from the subcommittee that we felt could either be added on or added on as an objective.

MS. YEAMPIERRE: Kim, what is ORD?

MS. WASSERMAN: That is a good question and I apologize and I should say that we have a thing in our office when you say an acronym we have the acronym pirate who comes out and you say "arg" and you have to explain what that means and all day today I have been wanting to do this but I realize that nobody else knows what that means besides myself.

MS. YEAMPIERRE: Office of Research and Development.

MS. WASSERMAN: Thank you very much, I was looking at Lang because that came from him, but thank you.

The last charge that we were given on this was, how can EPA strengthen specific actions within the five cross agency focus areas? What you see in front of you is the note that the Plan is extremely general at this point and thus it is difficult to provide a very specific feedback.

Given its status, it is critical that EPA lay out a clear process for implementation with a timeline and expected outcomes and we do go on to give feedback in certain areas of this.

(Slide)

MS. WASSERMAN: Under number 1, considering Environmental Justice concerns and EPA's permitting process. Consistent stake items will be needed on incorporating Environmental Justice principles and permit actions and this is a theme I think we have heard throughout the day today and we will continue to hear that there has to be greater communication between the Federal level and the State level around permitting.

(Slide)

MS. WASSERMAN: For number 2, accelerating compliance and enforcement initiatives.

There should be more emphasis on enforcement and compliance activities being coordinated with each other and with other efforts to reduce disproportion impacts in individual communities selected for agency attention through the use of EJSEAT and other tools. I am not sure what EJSEAT stands for unless that is the name of it.

MS. YEAMPIERRE: Sue, why don't you. On the mic, Sue, thank you.

MS. BRIGGUM: Environmental Justice Screening and Enforcement Assessment Tool. It takes a village to get there.

MS. YEAMPIERRE: We should have a glossary at every meeting (laughing).

MS. WASSERMAN: Thank you Sue and Shankar.

(Slide)

MS. WASSERMAN: For number 3, supporting community based action programming. The NEJAC feels that this will require planning and ultimately funding at the end of the day.

From the attachment, recommendation to NEJAC to enhance indigenous voices. The request was to reconstitute the indigenous people subcommittee or an indigenous work group for the NEJAC.

(Slide)

MS. WASSERMAN: Finally, setting priorities among the five cross agency focus areas. We felt that each area is critical and it is impossible given the generality of the Plan to set a priority amongst the five. However, if we needed to the best we could do is raise the level of attention given to the focus areas of number 4, I am sorry, moving number 5 up to number 4, supporting community based action programs and number 5, fostering administration wide action on Environmental Justice to at least a level of priority given to the first three focus areas.

So it is a very quick run through of the charge that we were given. But again, I think that because of the quick turnaround time that we had, more than anything it was really hard for us to give concrete feedback on such a limited timeline and so I think for us what you see here, although very lucid, is really going at the heart of we just need more information and we need more benchmarks and timelines and we really need to know how this is going to work in order for us to give better concrete feedback I feel.

So, what I would like to do is open it up for discussion if possible.

MS. YEAMPIERRE: Before we take questions, if Lisa Garcia could respond?

MS. GARCIA: Yes, I will just quickly respond because obviously part of this is really listening to the dialogue. But I think the general assessment that it is a little bare bones right now is correct and I think there was a bit of a purpose to that to make sure that at least before we start delving in, tackling things and coming out with recommendations and proposals that at least we go out to the public and say, are these the right ones and then where do we go from there?

I think you have heard from both Mathy and Janet working on two of the cross cutting focus areas that the next phase is taking in these comments. We did receive, by the way since it was also open for public comment for about three months, we received about 177 comments and Region 5 and Region 3 and one other Region, Region 1, had open calls and sessions.

So we have been out there trying to receive comments on once again are these the right topics and how should we tackle them? So the next phase is coming up with the implementation plans and the timelines as you are asking for. What are some of the next steps? What is going to be part of that implementation plan? How are we going to develop the recommendations? And then once again coming out to the NEJAC and going out to the public releasing that.

So the way that it is envisioned is hopefully at every step moving forward in tandem with the comments that we are receiving. But this is exactly what we were looking for so we appreciate all the work and I will just say also on the permitting charge and the subgroup Plan EJ 2014 so thank you very much.

MS. YEAMPIERRE: Thank you. Thank you, Kim, honestly for taking this on particularly because I think you have like one NEJAC meeting under your belt and I think that it was a tremendous show of initiative on your part, so thank you for that.

So we will take questions and comments and you may want to field those.

MS. WASSERMAN: No problem.

MS. YEAMPIERRE: Okay, thanks. I will call them and you can answer.

#### **Questions and Comments**

MS. WASSERMAN: Thank you.



MS. FISHER: I think Father Vien, he beat me to it.

MS. YEAMPIERRE: Father?

FATHER NGUYEN: You are forgiven (laughter).

MS. YEAMPIERRE: And you know I am a relaxed Catholic so you are looking out, you are looking out (laughter).

FATHER NGUYEN: Just for clarification Kim on slide 5, 3B the subgroup seek remedies in enforcement actions that benefit the overburdened communities. When you say benefit what are you talking about? Are we talking about eliminating the sources that are overburdening the community or compensating the community or both?

MS. YEAMPIERRE: Do you have, oh okay.

MS. WASSERMAN: So I think, you are talking about 3A or 3B? Okay, I don't know that either one of those is what we were going for. I think overall we were looking at -- I think ideally it would be great if we could get rid of the source of figure out financial compensation for the community but I don't think we got into that great of a detail in this conversation per se.

I think what we were trying to get to was, is there going to be a new structure that is going to be looked at or are we looking at the same structure that include SEPs to figure out solutions for seeking remedies.

So I think that if those two things are things we want to include we can put that in, otherwise I think we were just asking the question of kind of getting to the idea of when the EPA is looking to seek for remedies, is it in the current structure or are they looking for a new structure to do that in?

MS. YEAMPIERRE: Any of the members of the committee want to respond to that? Shankar? Wynecta, I think I have lost the order it is the end of the day.

MS. FISHER: Wynecta Fisher, E Squared. I want to first thank EPA for asking the NEJAC to submit some advice on EJ Plan 2014 and to the committee members who worked really hard, there is one thing and it is my day at horse is going to stand in the middle of us until something changes because I honestly believe that we can have, and I am going to defer to Patty in one second, that we can have a lot of policies that address multiple stressors and cumulative impacts.

But if community A is located directly across the street from an area that is zoned heavy industrial and behind community A there is a railroad track because it is that way. There has to be a way that we can somehow address the issue and Patricia spoke about it very briefly, I am not asking her to make additional comments but I would like to begin to somehow think about that because if land uses are not changing I don't know what we can do to really truly address EJ issues for those communities to sit in the middle of them.

MS. WASSERMAN: One of the things that is included in the report but not in the summary was the question of land use and zoning because that is something that came up repeatedly throughout our conversations was trying to figure that exact thing out. It wasn't in the summary but it is in the draft document.

MS. YEAMPIERRE: Yes, Lisa?

MS. GARCIA: Where is the draft document? I am looking at, this is something that is going to be submitted later?

MS. WASSERMAN: For us it is in this thing.

MS. GARCIA: Oh, it is in the packet.

MS. WASSERMAN: It is in the packet, yes.

MS. GARCIA: Thank you.

MS. YEAMPIERRE: I am going to go with Jolene.

MS. CATRON: Thanks for your hard work Kimberly. I know we were all working under really, really tight constraints and one of the concerns that I have, oh my name is Jolene Catron, Wind River Alliance, one of the concerns that I have voiced over and over again in this council is really representative voices from Indian country at the NEJAC table.

So I am always feeling the weight to make sure that I am doing a little bit of outreach, that I am talking to those that I represent and then I am providing the right comments and when it comes to something as important as this Plan 2014 being able to set up teleconferences, being able to waiting on our people's responses and things like that just really necessitated one or two more days, even a week please, so it was really difficult to work within those time constraints.

So with that being said, I appreciate that you have incorporated the comments, the suggestions that we have drafted and I would just like to really reiterate that this isn't just my own

personal feelings, these comments that are drafted come from several meetings with other stakeholders and from the NEJAC council also the members of the NEJAC council including Peter Captain.

So I think it is important to -- what I wanted to ask the NEJAC is that there are two documents that I sent out and one is just regarding the actual recommendations from the Tribal perspective on Plan 2014 and that is a three page document and then the other is comments specific to the NEJAC structure for Tribal input and that is a two page document.

I am not sure if- - I would like to ask the NEJAC council that we include that as an appendix both of those sets of recommendations as an appendix to the full report.

MS. ROBINSON: I am going to intercede on that. The direct comments and recommendations around Plan EJ 2014 really this is a consensus body, those things really need to be incorporated within the body of the letter.

Your suggestions about and concerns about the structure of the NEJAC in terms of being able to be responsible to allow our greater Tribal voice, that consensus needs to be reached around that but that can be a separate appendix item, okay, but the comments on the Tribal perspectives around Plan EJ really need to be incorporated into the body of the actual letter and the various appropriate places.

MS. CATRON: Okay.

MS. ROBINSON: Okay? Thanks.

MS. CATRON: Yes, that makes sense. I don't know if I need to go through and go over the majority of the comments that we provided since everybody was provided on the council with both of those are they are also provided with a one page summary that pretty much went directly into the PowerPoint that Kim just went through.

MS. WASSERMAN: I think depending on where we go with the process conversation after this, I think one of the things that will end up happening is unless we have a long delivered conversation about specifically the things that are being added in if it turns out that everybody is agreement with them I think what we will do is just incorporate them into the overall letter itself unless a larger conversation is had around them if that is okay?

MS. CATRON: Yes.

MS. YEAMPIERRE: Shankar and then Savi and then Patricia.

MR. PRASAD: Kim and the subgroup thank you for putting this together. Good start which have some changes that need to go in and just as the Plan had some vagueness in it, naturally our accommodations also happen to be a little vague in the sense.

For example, we continue to use this overburdened community across five or six places, I am referring to the main document, and I think as the Plan moves forward there must be some effort or some way of saying, what do we mean by that?

I mean everybody says it explains by itself or some as in implementation process something has to happen is when what is that overburdened community, how we want to define that it becomes critical as we move forward.

And then the whole issue of using the word consider is for me not a powerful word. It is something so in order to make something happen I would strongly suggest can we work up on some language changes on that specific piece.

Also, EJSEAT was mentioned in your presentation piece but I didn't get to pick that up in the whole part of the recommendations, in the summary recommendation it references to the cumulative impacts but not to the EJSEAT so we need to make sure that is referenced as well.

This whole issue of overburdened communities are, as Mathy presented, how do we do a community based action begs the question where and how soon where. So some kind of a prioritization process has to be implemented or talked about as the Plan moves forward. That a suggestion for all of us, you all agree.

But that is a consistent recommendation that NEJAC has made for about 10 years now starting from the cumulative impact subgroup and on goods movement report and also on the EJSEAT report. So, I think that theme needs to be carried through as we move forward I modify this.

MS. WASSERMAN: So, in response to the consideration that is one of the things that we are asking that the word considering not be used. That we actually use the word ensure because we are beyond, and I think I said this in the presentation, I think we are beyond considering Environmental Justice and we need to be ensuring it instead.

In regards to the EJSEAT, it is actually on page 5 about three-fourths of the way down in the second bullet point under, Accelerating Compliance and Enforcement Initiatives, so it is right here.

MS. YEAMPIERRE: Savi?

MS. HORNE: Savi Horne, Land Loss Prevention Project. This is more in the spirit of just, it is not really an original thought but it came out of listening to the last panel and I just really want to bring us back to when our committee essentially ranked the five cross cutting agency focus areas, particularly number 5, Fostering Administration Wide Action on Environmental Justice.

It seemed to be that there is a consensus around the NEJAC that the EPA needs to broaden that particular area to include conversation dialogues, partnership with other agencies that impact Environmental Justice to assist the communities and particularly the Department of Agriculture around access to healthy foods, safe and clean drinking water, particularly for already overburdened communities.

MS. YEAMPIERRE: Patricia?

MS. SALKIN: Just following up on the land use issue, it is in here on page 5 except it is sort of by way of background and my suggestion would be to consider adding a few words or a sentence under, Fostering Administration Wide Action on Environmental Justice, because that is where there recommendation is for action.

So right now although it is there, reading it you are just saying we need to pay attention to it but it is not listed really as a recommendation it looks as it is just background information.

MS. ROBINSON: Can I make a suggestion that when we are referring to page or whatever, if you are referring to the shortcut document that Kim has passed out today or whether you are referring to the full blown report that is in the packet because I am getting a little lost trying to figure out where we are going.

MS. SALKIN: Sorry, this was in the full letter because it wasn't in the short.

MS. YEAMPIERRE: I am sorry, John I didn't see you.

MR. RIDGWAY: John Ridgway, Washington State Department of Ecology. So I am referring to the full document, Appendix A, and it is what Savi was just referring too also. This would be the fourth page of that document under Fostering Administration Wide Action on Environmental Justice.

I think I understand what is trying to be said here but I want to be sure that we don't create confusion and specifically it is also referenced in the summary.

Some of these programs incorporate Environmental Justice considerations to some degree but all these investments should go through an appropriate process to identify and if necessary eliminate or mitigate them and I think that that is confusing. I don't think we want to suggest we want to eliminate Environmental Justice consideration.

We might want to eliminate or re-mitigate or reduce Environmental Justice barriers or some kind of wording but I don't think we want to eliminate the considerations. Is that correct? Okay, thank you.

MS. YEAMPIERRE: Jolene?

MS. CATRON: I am sorry to interrupt. We are having a lot of issues with trying to figure out which document we are actually looking at. I am wondering if what was emailed to all the NEJAC members that document that has the draft written across the top is different than what the document is that is in the binder and I think that is the issue because I don't have an Appendix A where you said page 5, mine said page 4.

MS. ROBINSON: Go to Day 2 and just before the school air toxics report presentation there is a version that has the NEJAC letterhead, Draft is stamped across it and it is several pages long, okay, and there is the draft letter. Do you see that?

MS. WASSERMAN: So if I could go back to Shankar's point in the question of making this a little more robust. One of the things that I will ask for as being a fairly new person onto NEJAC definitely members of the subcommittee did give us feedback in regards to the good movement and other documents.

But I will say to pay homage to work that was done in the past around cumulative impacts and other things it would definitely be helpful for myself and I think subcommittee members if there is language in there or parts of that we should be referring to that you think stand out. We would definitely love to have that from you because I think that is one thing that is definitely needed outside the subcommittee but within the NEJAC in general.

MR. PRASAD: Oh, I will send you the exact language and some paragraphs whatever I feel that could be.

MS. YEAMPIERRE: Thank you. So, I think -- Lisa?



MS. GARCIA: So one of the things that I was looking for as we continue to do this, one of the things that definitely stood out to myself that I was hoping we could discuss -- she said that we could keep going no?

One of the things that I was hoping talk about or folks to give their input on was really around the question of a six, seventh and eighth cross agency focus area because I really think that we have to as a group narrow that down.

Again, this was not a charge that was asked of us but I think it definitely showed the fact that folks had very strong opinions about adding those three things and I think it is important for us to make a decision if that is going to stay in the document or if it is not going to not stay in the document or if they are going to become objectives.

So, I would really ask that we have that conversation here if possible.

MS. YEAMPIERRE: John?

MR. RIDGWAY: Given the nature of this council in the past, some times offering more than they ask for from EPA, I would err on recommending it be incorporated into your report.

MS. WASSERMAN: And I appreciate that because again being a newbie I am not sure what it has been like in the past and so I am not sure about this. Langdon?

MR. MARSH: Yes, I feel strongly that the one investment should be included because that it is a huge part of what EPA does and they left it out of the initial list of cross cutting initiatives.

I also feel strongly that the Tribal goal be put in there as well. I feel less strongly about the science one because I was really more focused on addressing what Shankar brought up is we want a very strong statement in this document that the science of disproportionate impact should be given a lot of emphasis by ORD and other parts of the agency so that we can have some real benchmarks for the work that Mathy was talking about identifying communities, what is meant by overburdened and so forth. So, it doesn't have to be a different goal but it has to be a very strong statement I feel.

MS. YEAMPIERRE: So if there are no more comments I think what I am going to do is to defer to Victoria then for what the process of what this is going to be. Oh, I am sorry Lisa that is right.

MS. GARCIA: I wanted to make sure you were done at least with the deliberative part of it, but just to mention that on the, now I forgot what the recommendation was, for environmentally just investment of capital and other funding.

It wasn't necessarily called that but it was envisioned as part of the community based action programs that we begin to look at where the grants are going and across the board what are some of the grants programs. So, it doesn't capture everything that was recommended here but I just wanted to state that.

Also, in the tools development is looking at also again how we are funding some of those things and then just quickly I just sent over an edit trying to capture the word "ensuring" the recommendation was ensuring Environmental Justice and permitting and so we are, anyway so I just sent over an edit to get that through but also just to mention that on either next week or the following week Bob Perciasepe had mentioned the strategic plan and the cross cutting goals.

That is going to be out on the website and it does have Plan EJ 2014 as one of the goals and so the edit for ensuring Environmental Justice and permitting will hopefully be accepted and put out in the next two weeks. So, as we continue to move forward hopefully we can do this kind of work, so I just wanted to say that.

MS. WASSERMAN: Thank you very much Lisa, I am glad that our work is already paying off. Stephanie and then Shankar.

MS. HALL: Thank you. Stephanie Hall with Valero Energy. Just a quick comment and I am going to defer largely to Kim on this process but I just want to make sure that we have, particularly the subgroup, has a full appreciation of the comments that were shared so that when we re-group we will remember and fully understand what people were trying to convey because I think at the end of the day we really need to make sure that we have a substantive document that is responsive to the questions that EPA has raised.

To the extent that there are areas that are vague and need further defining or clarifying, I just want to make sure we give ourselves an opportunity in this setting if it is appropriate to make sure we understand and appreciate the comments and flush that out unless there is going to be other opportunity for kind of fine tuning that because I am just kind of looking at my sketchy notes and I may have missed something that someone was trying to convey and I am hoping there is a better note taker maybe in the room to capture that (laughing), that is right we have an official record never mind on that point.

MS. ROBINSON: Stephanie, your point is well taken and I will respond to that in terms of process because I have some questions to ask of the body but I think we will have Shankar first.

MR. PRASAD: This is a question for Lisa. You said that you will --- after consideration of the comments next year some time it will be final, so there will be a revised plan also published as we move forward or is just the implementation schedule that will be coming forth?

MS. GARCIA: We haven't decided whether or not it will be the whole Plan is reissued with the implementation because right now it is actually breaking out into the focus areas and so I think it makes more sense and given the timing of it we realize that there are certain priorities and so we would put out an implementation plan for ensuring EJ and permitting and like that.

But we do envision taking that implementation plan and putting it out with the recommendations and then hopefully getting comments from NEJAC and the public.

MR. PRASAD: Thank you. Will you still want to finalize this and send it as a formal document I assume?

MS. GARCIA: Yes. I think that if I could just add that we still need the recommendations and the ideas coming forward so that we can continue to work off the comments and of course I think the initial round was that at least ensuring that we have the right topic and it sounds like thankfully we have heard from many constituents and it seems like we are on the right path and I understand that there may be a recommendation for the two or three other ones.

MS. WASSERMAN: Thank you Shankar and thank you Stephanie. I think that one of the things we are definitely looking for is that folks feel like in a document there can be some buildup, we should definitely do that within the document and I think in regards to the process I think it is really helpful for us to know that it is going to be an ongoing process, that we will submit comments and plans will be developed. I think that is very refreshing to know that so that we know that as we are helping build this document we are able to get feedback on it.

So, if it is all right with folks I think we will go with Victoria and process on this.

MS. ROBINSON: Yes, thank you. Thank you all and I meant to say this earlier to the permitting subgroup as well as the Plan EJ subgroup, you guys did a herculean task of basically middle of summer vacation, school getting started, two public teleconference calls and prepping for this meeting to have put together two very comprehensive documents.

I am going to ask the same question of this group as I asked earlier of the permitting one, the first question of this group needs to ask itself does it feel that the document as it is given the changes that are being recommended is this document in such a state that simply identifying with and making the revisions based on the conversations that we can have the subgroup meet, just like we are going to have the permitting subgroup meet, via telecom to review the final changes and then submit it to the council in final draft as a ballot.

The other option is if you think there is significant changes that should be addressed and deliberated on then we need to make sure we set up a conference call as soon as possible to be able to do that.

So I need to get some feedback from you, figure out where you feel the next step is on this particular report in terms of additional discussions of the body or do you think it is in a state that simply making the revisions and having the subgroup review it and working together to make those things get incorporated and working with our contractor to then put together a final draft for ballot?

MR. YEAMPIERRE: John?

MR. RIDGWAY: I think we ought to accept this from the subgroup with these additions that we have heard of during this discussion and let the full council then review that when it is ready and leave it to the council to send it on forward.

MS. YEAMPIERRE: Anyone else? Patricia?

MS. SALKIN: I agree with John's comment, my only question just for clarification in response to Jolene's question about the comments that she and Peter put together the response was that they shouldn't be an appendix but they should be incorporated. Are we incorporating those thoughts into the letter?

MS. WASSERMAN: So from what I understand, we are incorporating the thoughts based on the Plan EJ 2014, the other document is something that we can discuss as a body.

MS. ROBINSON: The question is, is that something that should be incorporated as an appendix of the document or is a separate document to be addressed separately?

MS. WASSERMAN: I think it should be incorporated into the document, into the

document to be quite honest with you unless Jolene and Peter feel differently.

MR. PRASAD: I agree that, sorry, I also feel that Plan EJ 2014 that the comments must be incorporated into the main body of the letter not as a separate appendix.

MS. YEAMPIERRE: Unless anyone disagrees I think this consensus that they should be incorporated not separate. Okay, great thank you.

MS. ROBINSON: So next steps will be to, as I said, for the subgroup to work with the note taker to incorporate the comments as discussed. The subgroup will make sure that it is clean and then we will get that out to the full council for their vote by ballot.

Tomorrow after I have had a chance to talk to John and Kim and Elizabeth about a time frame, I will let you know tomorrow about will the time frame be for both reports so that we know the work in process over the next month, okay? Anybody have any questions about the process, where we are heading on this?

MS. WASSERMAN: I just wanted to thank all the members of the subcommittee and the committee for giving me the chance to do this. Thank you.

MS. YEAMPIERRE: Thank you (speaking Spanish). So we are going to move on to the last part of the agenda for today and John has graciously volunteered to chair that section. So, John?

### ***EPA Response to NEJAC School Air Toxics Recommendations***

MR. RIDGWAY: Thank you. First, so Richard if you want to come on up to the table and I want to check with you first of all, you have been very patient in waiting for us and the schedule change. Do you have a time constraint given it is already 5:00? No? Okay.

MS. MILLER-TRAVIS: John? John? Vernice, hi.

MR. RIDGWAY: Hi Vernice, go ahead, thank you.

MS. MILLER-TRAVIS: As I am running out the door can I just make a few comments?

MR. RIDGWAY: Please do.

MS. MILLER-TRAVIS: Okay, very briefly. Chet, thank you very much and to the Office of Air Quality Planning and Standards for your substantive response to the recommendations from the School Air Toxics Monitoring Workgroup.

We really are very pleased with the answers and we are looking forward to working with you further on it and to John, especially, and to Charles Lee, an absentia, and Candace and Laura and Victoria for arranging the conference call to work through the challenges that we had in meshing together OAQPS and OEJ.

We thank you so very much for that substantive dialogue and for the resolution of those issues and I hope you all hear and appreciate the depth of the response from Chet.

I have to leave, I have a flight at 7:00 but I just wanted to thank Chet and thank his staff and his colleagues for all the efforts and the work together before I run out the door. Thank you.

MR. RIDGWAY: Thank you and safe travels to you Vernice. Before Chet I turn the mic over to you, I have to agree that the response has been outstanding on this topic and it is a great example that I hope others in the future from EPA can follow your footsteps in this interactive communication, to let us know what happens when these recommendations go forward and provide an opportunity for helping that progress after a recommendation, My kudos to you and with that I will turn the mic over to you.

### ***Presentation by Richard "Chet" Wayland, EPA Office of Air Quality Planning and Standards***

MR. WAYLAND: Great, thank you John and Vernice I appreciate that. It has been an enjoyable process and while we had our rough starts at part of this I think we are a good example of if you work together and you have that interview process you can come to a positive conclusion at the end.

So, what I wanted to do today is get the presentation put up on the next one. I am going to walk through the 19 recommendations and just EPA's response. This is in your packet, the formal recommendations are there so you can just follow along there. The slides are more for me to stay on track.

Again, I do appreciate it. I know it is late in the day and I will try to make this as quick as I can such that we can get everybody out of here for dinner. So, if we could go to the next slide.

(Slide)

MR. WAYLAND: I just wanted to give everyone a real quick status. When I presented back in July at this meeting, we were nearing completion of the school air toxics monitoring project and I